

Red Cliff Band of Lake Superior Chippewas

SPECIAL COUNCIL MEETING

APRIL 19, 2011

4:30 p.m. Bingo Hall

Meeting called to order at 4:30 p.m. by Marvin Defoe, Vice Chairman.

ROLL CALL:

Rose Soulier, Absent,

Marvin Defoe, Present

Laura J. Gordon, Present

Dennis Soulier, Present

Mike Gurnoe, Present

Larry Deragon, Present

Jeanne Gordon, Present

Ray DePerry, Present

Jim Pete, Present

Quorum

Also in attendance: Community members.

Opening Ceremony

Opening ceremony performed by Frank Montano.

AGENDA

Marvin informed all that Rose was in Florida at a Tribal Tax Summit.

Marvin Defoe added a). IVC personnel issues with management under Executive Session with Casino and a). Shakopee grant/resolution under Casino/Hotel/ Event Center update. Jeanne Gordon moved to approve agenda with additions. Seconded by Dennis Soulier. Motion carried.

Bayfield County Sherriff's Qrtly. Report/LE Agreement Presentation – Paul Susienka/Bill Mertig

Bayfield County Sherriff, Paul Susienka, spoke about the positive cooperation and communication between the County and RCPD. Paul stated he would like to continue presenting the quarterly reports to the Tribal Council whether there is an agreement in place or not. Jim Pete asked RCPD Chief, Bill Mertig, what kind of feedback he received from the RCPD 'Meet & Greet' last month. Bill stated that they received a lot of positive feedback. There were roughly 150 people that attended. Larry Deragon inquired if RCPD will ever get past having to call in dispatch for incidents outside of the reservation boundaries. Bill stated that if an incident occurs outside of the reservation boundaries dispatch will always need to be called due to the jurisdictional boundaries.

Marvin thanked Paul and also requested some statistical data regarding County officers and RCPD. Paul stated he can get that information to the Council. Paul inquired to the Council if they have any concerns with the presence of the County officers on reservation because he has seen frustrations with this in the past. Marvin stated that it all boils down to safety and cooperation and that there may be times when RCPD will need the County officers and vice versa.

Bill presented the Bayfield County Sheriff's department a check for \$10,000 in appreciation for their cooperation and communication through the agreement. The check is a token of appreciation.

Community Input/Announcements

Laura Gordon announced that there will be a community education session on 'Traditional Healing with a Tribal Community' on May 3, 2011 at the Bingo Hall from 6-8pm. There will be invited presenters and light snack will be provided.

Bob Buffalo announced that IVC will be sponsoring a golf tournament on May 14, 2011. The entry fee is \$180 and there will be a banquet with awards after the tournament. The proceeds will go to Red Cliff Emergency Services and RCPD.

EXECUTIVE SESSION – CASINO REPORT W/FINANCIALS – JEFF GORDON

Dennis Soulier moved to go into Executive session. Seconded by Mike Gurnoe. Motion carried. All non-members were asked to leave.

Mike Gurnoe moved to go back into Regular session. Seconded by Dennis Soulier. Motion carried.

Dennis Soulier moved to approve the casino report. Seconded by Jeanne Gordon. Motion carried.

Jeannie Gordon moved to lift the fines that were imposed on IVC employees until the Council can compose a payment structure to the fines. Seconded by Mike Gurnoe. Discussion: The gaming commission should be the authority to structure the fines. Jeanne stated that the Council should be the one to structure it. Ray DePerry stated that this motion should be defeated due to the seriousness of imposing the fines in the first place. He stated the Council took action and it is not right for the Council to be blindsided by this issue in the first place and without the Tribal Attorney present.

Roll call vote: Ray DePerry NO, Larry Deragon NO, Jeanne Gordon YES, Laura Gordon NO, Dennis Soulier Abstained, Mike Gurnoe YES, Jim Pete NO.

4 NO's and 2 YES, 1 ABSTENTION. Motion defeated.

Ray Deperry moved to table this issue until the next special Council meeting on May 17th, 2011, to allow time to review all of the documentation. Seconded by Larry Deragon. Motion carried.

Jeanne Gordon moved to have the approved meeting minutes from 12/27/11 from the Gaming Commission available regarding the issue at hand. Seconded by Dennis Soulier. Motion carried.

COMPLIANCE REPORT

Ray DePerry moved to table the Compliance Report until the next special Council meeting on May 17, 2011. Seconded by Mike Gurnoe. Motion carried.

GAMING COMMISSION REPORT

Ray DePerry inquired the status of the Compliance Assistance position. Mark Duffy stated he does not know the status of the position and believes the Job Description has been given to Rick Wygonik.

Larry Deragon inquired if the 24 machines that are currently not in compliance will become in compliance soon. Mark stated he met with compliance today and they will be working on it as soon as possible. Larry asked if the Council can request a chronological report from compliance reflecting why there has been such a delay on getting these machines in compliance. Mark stated a report can be done but the most important thing right now is to get the machines in compliance as soon as possible.

Ray DePerry moved to approve the Gaming Commission report. Seconded by Laura J. Gordon. Motion carried.

CASINO/HOTEL/EVENT CENTER UPDATE

Ron Jack, Doug Neisen, Tom Ranfranz, and Joe Gordon were present to update on the Casino/Hotel/Event Center. Tom stated he toured the site today and really appreciates the Council's decision making ability throughout all of this. He also thanked Ron Jack. Tom announced that Red Cliff requested a grant for \$1M to enhance the marina/Pow-wow grounds/campground and was awarded the \$1M.

Joe Gordon stated there are currently 25 Natives and 30 non-Natives employed. In August they anticipate 70 people on site for employment.

The project is on schedule and Ron states they are very pleased with the construction of the casino. They will be starting the exterior work soon and they have already started the interior drywall. Jim Pete asked why Faith Technologies were utilized for the electrical and not Hunt Electric. Joe Gordon stated there are 2 Tribal members on with Faith Technologies and 2 more are being trained. Doug stated that Hunt's Electric couldn't comply with the current schedule and would qualify for work on the campground/marina sites.

SHAKOPEE MDEWAKANTON \$1M GRANT/RESOLUTION

Jim Pete moved to approve resolution **4/19/11A** the grant for \$1M from the Shakopee Mdewakanton Sioux Community. Seconded by Dennis Soulier. Discussion: Ray DePerry stated he will vote to support this grant but would like to see a budget reflecting how the money will be used. Ray reminded that it is important to be clear and transparent with the money and to be sure it will be used for the enhancement of the Pow-wow grounds, campgrounds and marina. Marvin stated that a budget will be in place. Motion carried.

LEASES – SUSIE BEAR

A request from Robert Wagman to lease property located on Bresette Hill will need to have Council approval.

Ray DePerry moved to approve the request to lease the property on Bresette Hill to Robert Wagman. Seconded by Larry Deragon. Susie also mentioned that there will be a fee or rent for the leased land. She doesn't have the exact amount available at this time but can get it. Motion carried.

NALEMP LEGAL CONTRACT – JACOB MAAS/LAURA ARMAGOST

The NALEMP program is requesting to contract Jacobson, Buffalo, Magnuson, Anderson, & Hogen P.C. for their legal services on the Lake Superior Barrel Investigation Project. Dennis Soulier moved to approve the legal contract. Seconded by Jim Pete. Motion carried.

BAUDHUIN ENGINEERING CHANGE ORDER RED CLIFF SEPTIC PROJECT – LAURA ARMAGOST/DESIREE LIVINGSTON

Dennis Soulier moved to approve the change order to change from \$67,137 to add \$4,230 for a total of 71,367 and requested to be reposted to allow the opportunity to bid. Seconded by Jeanne Gordon. Motion carried.

RED CLIFF SEPTIC PROJECT BID AWARD – LAURA ARMAGOST/DESIREE LIVINGSTON

Ray DePerry moved to approve C&W Trucking, with a bid of \$202,925. Seconded by Jim Pete. Motion carried.

SINGLE AUDIT RFP

Ray DePerry moved to approve the requested sealed bid requirement waiver for the 2011 3-year Single Audit and approve for the alternative method of procurement for the services. Seconded by Larry Deragon. Motion carried.

RESOLUTION PERTAINING TO BREMER BANK GRANT FOR FARM MANAGER – OLLIE BASINA AND MELANIE THOREEN

Dennis Soulier moved to approve resolution 4/19/11B for the Bremer Bank Grant. Seconded by Larry Deragon. Motion carried.

RESOLUTION PERTAINING TO GLITC EPIDEMIOLOGY CENTER COOPERATIVE AGREEMENT

Ray DePerry moved to approve resolution 4/19/11C the GLITC Epidemiology Center Cooperative Agreement. Seconded by Larry Deragon. Motion carried.

RESOLUTION PERTAINING TO CONTINUAL FUNDING FOR THE FAMILY VIOLENCE PROGRAM

Dennis Soulier moved to approve resolution 4/19/11D for continual funding for the Family Violence Program. Seconded by Jeanne Gordon. Motion carried.

TENANT ASSOCIATION

Laura J. Gordon stated that she received a call from Pauline Gordon stating that the Tenant Association is still meeting regularly.

CHAIRPERSON LETTER TO SCHOOL BOARD – JIM PETE

Jim Pete stated that he wanted to inquire if the governing board should have gone through with writing the letter in regards to the school board election. Marvin Defoe stated that Rose wrote the letter for no other reason but to seek clarification on the issue. Cindy Garrity stated the

board is still waiting on some paperwork from the state. She will let the Tribal Council know of any updates. April 25, 2011 is suppose to be the "swearing in" for the School Board.

APPROVAL OF MEMBERSHIP COMMITTEE APPOINTMENTS

Ray DePerry moved to approve Elizabeth Hudson, Linda Lamoreaux and Angie Emrich to the Membership Committee. Seconded by Mike Gurnoe. Motion carried.

GOGEBIC TACONITE'S MINING

Marvin Defoe stated that Administration is being more active with other Tribe's regarding the mining issues.

CERTIFICATION OF CHAIRPERSON/TREASURER CANDIDATES

Laura J. Gordon read the candidates as follows:

Chairperson: Seth Morris, Patricia R. (Patsy Ruth) DePerry, Troy Gordon, Rose Gurnoe-Soulier and Raymond DePerry.

Treasurer: Dennis J. Soulier, James E. Pete and Jeffrey A. Benton

Laura stated there were some questions raised regarding Seth Morris' residency. Laura looked into it and found that Seth meets the requirements to be a candidate in this year's election.

Jim Pete moved to approve the Chairperson and Treasurer candidates. Seconded by Jeanne Gordon. 2 abstentions, Jim Pete and Dennis Soulier. Motion carried.

RATIFY POLL VOTE

Dennis Soulier motioned to approve Susie Bear to replace Steven Boyd to the Election Board. Seconded by Laura J. Gordon. Motion carried.

AFLAC – RICK WYGONIK

AFLAC has lumped together 5 of their most common product together in a group package. These are Supplemental Hospital, Critical Illness, Accident, Disability and Life Insurance. Individuals who currently have one or more of these products would receive a substantial reduction in their payment to AFLAC and will be allowed to take it with them if they left employment with the Tribe.

Jim Pete moved to approve the AFLAC request. Seconded by Dennis Soulier. 4 approved, 2 opposed and 1 abstention. Motion carried.

OTHER

The Tribal Council received a letter from Larry Deragon requesting to resign from the Gaming Commission effective immediately.

Dennis Soulier moved to approve the Larry Deragon's request. Seconded by Jeanne Gordon.

Roll Call Vote: Ray DePerry NO, Larry Deragon Abstained, Jeanne Gordon NO, Laura J. Gordon NO, Dennis Soulier YES, Mike Gurnoe NO, Jim Pete NO. Motion defeated.

Larry Deragon asked Rick Wygonik if the Compliance Assistant position has been posted yet. Rick stated that it hasn't been posted yet because there are still questions regarding the duties and responsibilities. Rick said that Carol Gardner has been out for a week and a half and he has only seen the draft of the job description.

Cindy Garrity stated that the election booths have been outside and they will need to be fixed before elections. Marvin Defoe said he will be in touch about this issue.

Ray DePerry moved to go into Executive Session. Seconded by Larry Deragon. Motion carried.

Dennis Soulier moved to go into Regular Session. Seconded by Ray DePerry. Motion carried.

Jim Pete moved to approve Keith Ketelsen for the position of Head Start Bus Driver. Seconded by Jeanne Gordon. Motion carried.

Mike Gurnoe moved to approve Tom Jeffords for the position of Budget Director/Evidence Technician. Seconded by Larry Deragon. Motion carried.

Jim Pete moved to approve Sally Cadotte for the position of Early Childhood Teacher. Seconded by Ray DePerry. Discussion: the position will be reposted if Sally Cadotte does not accept the position. Motion carried.

Dennis Soulier moved to adjourn. Seconded by Mike Gurnoe. Motion carried.

Adjourned: 8:15 p.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Edwina Buffalo-Reyes".

Edwina Buffalo-Reyes
Recording Secretary

ATTEST:

A handwritten signature in blue ink, appearing to read "Laura J. Gordon".

Laura J. Gordon
Red Cliff Tribal Council Secretary